

# PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, Paul R. Scher & Jackie Shuman, owner of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part here.

hereby petition for a Variance from Section 400.1--To permit an accessory structure to be located in the rear third of the lot farthest removed from the side street (Falling Brook Court)

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons (indicate hardship or practical difficulty)

1. Pool would be too far from house.
2. That area is all woods and the cost of removing trees and stumps would be excessive.
3. Electrical run would be very expensive.
4. Due to the location of septic reserve area.

Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law For Baltimore County.

DATE October 9, 1979  
 ORDERED By The Zoning Commissioner of Baltimore County, this 24th day of July, 1979, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 108, County Office Building in Towson, Baltimore County, on the 18th day of September, 1979, at 2:30 o'clock A.M.

Contract purchaser Paul R. Scher & Jackie Shuman  
 Legal Owner Jackie Shuman  
 Address 11905 Ridge Valley Drive  
Owings Mills, Md. 21117  
 Petitioner's Attorney John W. Hession, III  
 Protestant's Attorney John W. Hession, III

(over)

RE: PETITION FOR VARIANCE : BEFORE THE ZONING COMMISSIONER  
 SE corner of Ridge Valley Dr. & : OF BALTIMORE COUNTY  
 Falling Brook Ct., 8th District  
 PAUL B. SCHER, et al, Petitioners : Case No. 80-82-A

## ORDER TO ENTER APPEARANCE

Mr. Commissioners:

Pursuant to the authority contained in Section 524.1 of the Baltimore County Charter, I hereby enter my appearance in this proceeding. You are requested to notify me of any hearing date or dates which may be now or hereafter designated therefore, and of the passage of any preliminary or final Order in connection therewith.

Peter Max Zimmerman John W. Hession, III  
 Peter Max Zimmerman John W. Hession, III  
 Deputy People's Counsel People's Counsel for Baltimore County  
 County Office Building  
 Towson, Maryland 21204  
 494-2188

I HEREBY CERTIFY that on this 5th day of September, 1979, a copy of the foregoing Order was mailed to Mr. Paul B. Scher and Jackie Shuman, Petitioners, 11905 Ridge Valley Drive, Owings Mills, Maryland 21117.

John W. Hession, III  
 John W. Hession, III

October 9, 1979

Mr. Paul R. Scher and Ms. Jackie Shuman  
 11905 Ridge Valley Drive  
 Owings Mills, Maryland 21117

RE: Petition for Variance  
 SE corner of Ridge Valley Drive and  
 Falling Brook Court - 8th Election  
 District  
 Paul R. Scher, et al - Petitioners  
 NO. 80-82-A (Item No. 13)

Dear Mr. Scher and Ms. Shuman:

I have this date passed my Order in the above referenced matter in accordance with the attached.

Very truly yours,

WILLIAM E. HAMMOND  
 Zoning Commissioner

WEH/arl

Attachments

cc: John W. Hession, III, Esquire  
 People's Counsel

## PROPERTY DESCRIPTION FOR SCHER LANDMARK CORPORATION located at

11905 Ridge Valley Drive,  
 Chestnut Ridge  
 Baltimore, Maryland 21117

Being that property shown as lot #28, section #3 of Green Valley North in the 8th Election District of Baltimore County. Said lot recorded among the land records of Baltimore County in Liber 40, Folio 60 and containing 1.6 acres. Property is located on the East side of Ridge Valley Drive adjacent to the Southeast corner of Falling Brook Court. Property is shown as beginning on the Southeast corner of Falling Brook Court and running to a point Northeast 146.48', then running to a point Southeast 298.89', then running to a point Southwest 254.94', then Southeast 43.34' to a point on Ridge Valley Drive. From said point returning the the place of beginning 446.48'.

## BALTIMORE COUNTY, MARYLAND

### INTER-OFFICE CORRESPONDENCE

William E. Hammond  
 TO: Zoning Commissioner Date September 13, 1979  
 FROM: John D. Seyffert  
 Director of Planning

SUBJECT: Petition #80-82A, Item 13  
 Petition for Variance for accessory structure  
 Southeast corner of Ridge Valley Drive and Falling Brook Court  
 Petitioner - Paul B. Scher, et al

8th District

HEARING: Tuesday, September 18, 1979 (9:30 A.M.)

There are no comprehensive planning factors requiring comment on this petition.

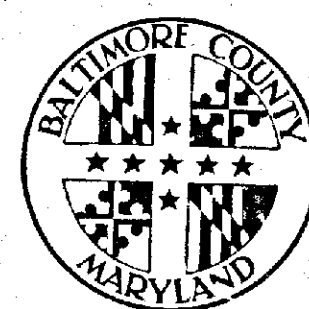
John D. Seyffert  
 John D. Seyffert  
 Director of Planning

JDS:JGH:rw

## BALTIMORE COUNTY

### ZONING PLANS

### ADVISORY COMMITTEE



### PETITION AND SITE PLAN

### EVALUATION COMMENTS

## BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

September 4, 1979

COUNTY OFFICE BLDG.  
 111 W. Chesapeake Ave.  
 Towson, Maryland 21204

GO  
 Nicholas B. Commodari  
 Chairman

MEMBERS  
 Bureau of Engineering  
 Department of Traffic Engineering  
 State Roads Commission  
 Bureau of Fire Prevention  
 Health Department  
 Project Planning  
 Building Department  
 Board of Education  
 Zoning Administration  
 Industrial Development

Mr. Paul R. Scher and  
 Ms. Jackie Shuman  
 11905 Ridge Valley Drive  
 Baltimore, Maryland 21117

RE: Item No. 13  
 Petitioners - Scher and Shuman  
 Variance Petition

Dear Mr. Scher and Ms. Shuman:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced Petition and has made an on-site field inspection of the property. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Because of your proposal to locate a swimming pool outside of the rear third of the lot farthest removed from Falling Brook Court, this Variance is required. Particular attention should be afforded the comments of the Bureau of Engineering, which indicates that there is a 10 foot drainage and utility easement along the easterly property line. Since no construction is allowed within a County easement, the pool will have to be located at least 10 feet from this property line.

Enclosed are all comments submitted from the Committee to this office. The remaining members felt that no comment was warranted. This Petition is accepted for filing on the date of the enclosed filing certificate. Notice of the hearing date and time, which will be held not less than 30 nor more than 90 days after the date on the filing certificate, will be forwarded to you in the near future.

Very truly yours,

Nicholas B. Commodari  
 NICHOLAS B. COMMODARI, Chairman  
 Zoning Plans Advisory Committee

NBC/sf

Enclosures

cc: Hudkins Associates, Inc.  
 101 Shell Building, 200 E. Joppa Rd.  
 Towson, Maryland 21204

Jan 10 1980

ORDER RECEIVED FOR FILING  
DATE Sept 9 1979  
BY John D. Seyffert

Pursuant to the advertisement, posting of property, and public hearing on the Petition and it appearing that by reason of the following finding of facts that strict compliance with the Baltimore County Zoning Regulations would result in practical difficulty and unreasonable hardship upon the Petitioner(s), the Variance(s) should be had; and it further appears that the granting of the Variance requested will not adversely affect the health, safety, and general welfare of the community; and, therefore,

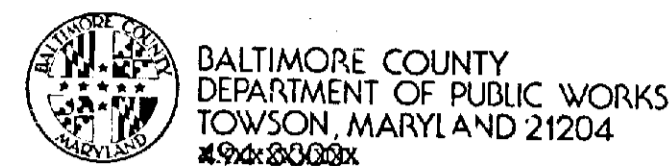
IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 9th day of October, 1979, that the herein Petition for Variance to locate an accessory structure (swimming pool) outside of the area designated as the rear third of the lot farthest removed from Falling Brook Court should be and the same is GRANTED, from and after the date of this Order, subject to a revised site plan, indicating the size and location of the pool at least ten feet away from the drainage and utility easement located along the northeast property line, being submitted and approved by the Department of Public Works and the Office of Planning and Zoning.

William E. Hammond  
Zoning Commissioner of Baltimore County

Pursuant to the advertisement, posting of property, and public hearing on the Petition and it appearing that by reason of failure to show practical difficulty and/or unreasonable hardship, the Variance(s) should not be granted.

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, that the herein Petition for the Variance(s) to permit

Zoning Commissioner of Baltimore County



THORNTON M. MOURING  
DIRECTOR

August 7, 1979

Mr. William E. Hammond  
Zoning Commissioner  
County Office Building  
Towson, Maryland 21204

Re: Item #13 (1979-1980)  
Property Owner: Paul R. Scher & Jackie Shuman  
S/E corner Ridge Valley Dr. & Falling Brook Ct.  
Existing Zoning: RC 5  
Proposed Zoning: Variance to permit an accessory structure in the third of the lot closest to the side street instead of the required third of the lot farthest from the side street and to permit an accessory in the side yard instead of the required rear yard.  
Acres: 1.6 acres District: 8th

Dear Mr. Hammond:

The following comments are furnished in regard to the plat submitted to this office for review by the Zoning Advisory Committee in connection with the subject item.

General:

Baltimore County highway and utility improvements are not directly involved and are as secured by Public Works Agreement #87604 executed in connection with the development of Green Valley North-Section 3, of which this property is lot 28 of the Plat "Section 3, Green Valley North", recorded E.N.K., Jr. 40, Folio 60.

There is a 10-foot Baltimore County drainage and utility easement within and along the easterly side of this property which is not indicated on the submitted plan. The Petitioner is cautioned that no encroachment by construction of any structure, including footings, is permitted within County rights-of-way or utility easements.

Very truly yours,  
Ellsworth N. Diver, P.E.  
Chief, Bureau of Engineering

END:EAM:FWR:ss

cc: R. Covahey, J. Wimbley

8-NW Key Sheet  
56 NW 20 Pcs. Sheet  
NW 14 E Topo  
50 Tax Map



DONALD J. ROOP, M.D., M.P.H.  
DEPUTY STATE AND COUNTY HEALTH OFFICER

September 12, 1979

Mr. William E. Hammond, Zoning Commissioner  
Office of Planning and Zoning  
County Office Building  
Towson, Maryland 21204

Dear Mr. Hammond:

Comments on Item #13, Zoning Advisory Committee meeting of July 24, 1979, are as follows:

Property Owner: Paul R. Scher & Jackie Shuman  
Location: S/E corner Ridge Valley Dr. & Falling Brook Ct.  
Existing Zoning: R.C. 5  
Proposed Zoning: Variance to permit an accessory structure in the third of the lot closest to the side street instead of the required third of the lot farthest from the side street & to permit an accessory in the sideyard instead of the required rear yard.  
Acres: 1.6  
District: 8th

The existing dwelling is served by a water well and sewage disposal system, both of which appear to be functioning properly. The proposed pool will not interfere with the location of the well or sewage disposal system; therefore, no health hazards are anticipated.

Very truly yours,  
Ian J. Forest  
Ian J. Forest, Director  
BUREAU OF ENVIRONMENTAL SERVICES

LJF/JRE/fth



John D. Seyffert  
DIRECTOR

September 13, 1979

Mr. William Hammond, Zoning Commissioner  
Zoning Advisory Committee  
Office of Planning and Zoning  
Baltimore County Office Building  
Towson, Maryland 21204

Dear Mr. Hammond:

Comments on Item #13, Zoning Advisory Committee Meeting, July 24, 1979, are as follows:

Property Owner: Paul R. Scher and Jackie Shuman  
Location: S/E corner Ridge Valley Drive & Falling Brook Court  
Existing Zoning: RC-5  
Proposed Zoning: Variance to permit an accessory structure in the third of the lot closest to the side street instead of the required third of the lot farthest from the side street and to permit an accessory in the sideyard instead of the required rear yard.  
Acres: 1.6  
District: 8th

This office has reviewed the subject petition and offers the following comments. These comments are not intended to indicate the appropriateness of the zoning in question, but are to assure that all parties are made aware of plans or problems with regard to development plans that may have a bearing on this petition.

This plan has been reviewed and there are no site-planning factors requiring comment.

Very truly yours,

John L. Wimbley  
John L. Wimbley  
Planner III  
Current Planning and Development

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: William E. Hammond  
Office of Planning and Zoning  
FROM: Captain Joseph Kelly  
Fire Prevention Bureau  
SUBJECT: Zoning Advisory Committee Meeting of July 24, 1979  
Attention: Nick Commodari, Chairman  
Zoning Plans Advisory Committee

- ITEM # 13 Property Owner: Paul R. Scher & Jackie Shuman  
Location: S/E corner Ridge Valley Dr. & Falling Brook Ct.  
No Comments
- ITEM # 15 Property Owner: Charles C. & Linda A. Neal  
Location: S/S Anthony Avenue 150' E. of Vincent Avenue  
No Comments
- ITEM # 17 Property Owner: Kenilwest Limited Partnership  
Location: No plats submitted  
No Comments
- ITEM # 18 Property Owner: William J. Franklin, Jr.  
Location: S/S Cockeys Mill Road, 3150' W. of Reisterstown Road  
No Comments
- ITEM # 19 Property Owner: Stephen Jeffrey Britt  
Location: N/W Corner Ridge Avenue & Carroll Avenue  
No Comments

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Nick Commodari  
FROM: Ted Burnham  
SUBJECT: Zoning Advisory Committee Meeting of July 24, 1979

- ITEM NO. 13 Standard Comment
- ITEM NO. 14 See Comment
- ITEM NO. 15 See Comment
- ITEM NO. 16 Standard Comment
- ITEM NO. 17 No Comment
- ITEM NO. 18 See Comment and referral to Mr. Joseph Nolan
- ITEM NO. 19 Standard Comment
- ITEM NO. 20 Standard Comment
- ITEM NO. 223 Revised - See Comments

Ted Burnham  
Ted Burnham, Chief  
Plans Review

TB:rrj

BOARD OF EDUCATION  
OF BALTIMORE COUNTY

TOWSON, MARYLAND - 21204

Date: July 18, 1979

Mr. S. Eric DiNenna  
Zoning Commissioner  
Baltimore County Office Building  
Towson, Maryland 21204

Z.A.C. Meeting of: July 24, 1979

RE: Item No: 13, 14, 15, 16, 17, 18, 19, 20  
Property Owner:  
Location:  
Present Zoning:  
Proposed Zoning:

District:  
No. Acres:

Dear Mr. DiNenna:

All of the above have no bearing on student population.

Very truly yours,

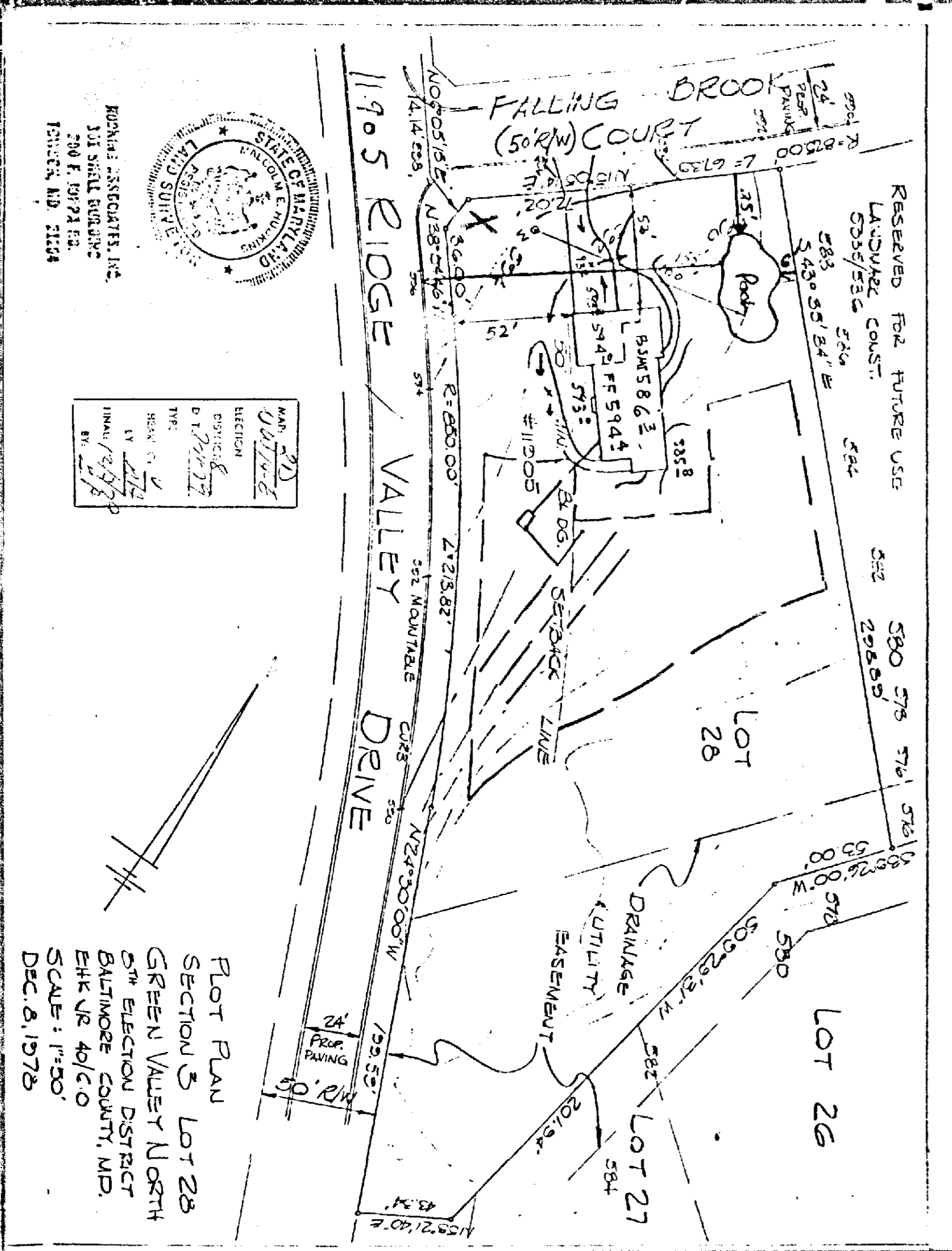
W. Nick Petrovich  
W. Nick Petrovich,  
Field Representative

WNP/hp

JOSEPH N. MCGOWAN, DIRECTOR  
T. BARRY LUTTRELL, JR., VICE PRESIDENT  
MANUEL M. LUCAS, JR., VICE PRESIDENT

THOMAS H. GOYEN  
MRS. LOURDAINE A. CHILDS  
WILLIAM M. HAYDON

ALVIN LOPECK  
MRS. HELEN R. SMITH, JR.  
RICHARD W. STAFFEL, JR.



**PETITION FOR VARIANCE**  
An Under  
ZONING: Petition for Variance  
for accessory structure  
LOCATION: Southeast corner of  
Ridge Valley Drive and Falling  
Brook Court  
DATE & TIME: Tuesday, Sep-  
tember 18, 1979 at 9:30 A.M.  
PUBLIC HEARING: Room 106,  
County Office Building, 111 W.  
Chesapeake Avenue, Towson,  
Maryland

The Zoning Commissioner of  
Baltimore County, by authority of the  
Zoning Act and Regulations of Bal-  
timore County, will hold a public  
hearing:

Petition for Variance to permit  
an accessory structure to be lo-  
cated in the rear of the lot  
furthest removed from the side  
street (Falling Brook Court).  
The Zoning Regulation to be ex-  
cepted as follows:  
Section 400.1. Accessory struc-  
ture

All that parcel of land in the  
Eighth District of Baltimore County  
being that property shown as lot  
No. 26, section No. 5 of Green  
Valley North in the 5th Elec-  
tion District of Baltimore County, said  
lot as shown on the land re-  
cords of Baltimore County in Liber  
40, folio 80 and containing 1.8  
acres. Property is located on the  
East side of Ridge Valley Drive  
adjacent to the Southeast corner of  
Falling Brook Court. Property is  
shown as beginning on the South-  
east corner of Falling Brook Court  
and running to a point Southeast  
146.48', then running to a point  
Southeast 268.89', then running to  
a point Southeast 254.94', then  
Southeast 43.34' to a point on  
Ridge Valley Drive. From said point  
returning to the place of beginning  
446.48'.

Being the property of Paul B.  
Scher, et al, as shown on plat filed  
with the Zoning Department.  
Hearing Date: Tuesday, Sepem-  
ber 18, 1979 at 9:30 A.M.  
Public Hearing: Room 106,  
County Office Building, 111 W.  
Chesapeake Avenue, Towson,  
Maryland

BY ORDER OF  
WILLIAM E. HAMMOND  
ZONING COMMISSIONER  
OF BALTIMORE COUNTY  
to Aug 30 (1984)

**OFFICE OF THE TIMES NEWSPAPERS**  
TOWSON, MD. 21204 August 30 1979

THIS IS TO CERTIFY, that the annexed advertisement of  
PETITION FOR VARIANCE - Paul B. Scher, et al  
was inserted in the following:

☐ Catonsville Times ☐ Arbutus Times  
☐ Essex Times ☐ Community Times  
☒ Towson Times

weekly newspapers published in Baltimore, County, Maryland,  
once a week for one successive weeks before the  
31st day of August 1979, that is to say, the same  
was inserted in the issues of August 30, 1979.

STROMBERG PUBLICATIONS, INC.  
BY Erin Berger

**PETITION FOR VARIANCE**  
An Under  
ZONING: Petition for Variance for  
accessory structure  
LOCATION: Southeast corner of  
Ridge Valley Drive and Falling  
Brook Court  
DATE & TIME: Tuesday, Sepem-  
ber 18, 1979 at 9:30 A.M.  
PUBLIC HEARING: Room 106,  
County Office Building, 111 W.  
Chesapeake Avenue, Towson,  
Maryland

The Zoning Commissioner of Bal-  
timore County, by authority of the  
Zoning Act and Regulations of Bal-  
timore County, will hold a public  
hearing:

Petition for Variance to permit an  
accessory structure to be located in  
the rear of the lot furthest  
removed from side street (Fall-  
ing Brook Court).  
The Zoning Regulation to be ex-  
cepted as follows:  
Section 400.1. Accessory structure

All that parcel of land in the  
Eighth District of Baltimore County  
being that property shown as Lot  
No. 26, section 5 of Green Valley  
North in the 5th Election District of  
Baltimore County, said lot as re-  
corded among the land records of Bal-  
timore County in Liber 40, folio 80  
and containing 1.8 acres. Property  
is located on the East side of Ridge  
Valley Drive adjacent to the South-  
east corner of Falling Brook Court.  
Property is shown as beginning on  
Brook Court and running to a point  
Northeast 146.48', then running to a  
point Southeast 268.89', then run-  
ning to a point Southeast 254.94',  
then Southeast 43.34' to a point on  
Ridge Valley Drive. From said  
point returning to the place of  
beginning 446.48'.

Being the property of Paul B.  
Scher, et al, as shown on plat filed  
with the Zoning Department.  
Hearing Date: Tuesday, Sepem-  
ber 18, 1979 at 9:30 A.M.  
Public Hearing: Room 106, County  
Office Building, 111 W. Chesapeake  
Avenue, Towson, Md.  
By Order Of  
WILLIAM E. HAMMOND,  
Zoning Commissioner  
of Baltimore County  
Aug. 30.

**CERTIFICATE OF PUBLICATION**  
TOWSON, MD., August 30, 1979

THIS IS TO CERTIFY, that the annexed advertisement was  
published in THE JEFFERSONIAN, a weekly newspaper printed  
and published in Towson, Baltimore County, Md., ~~once a week~~  
~~at one time~~ ~~successive weeks~~ before the 18th  
day of September, 1979, the 4th publication  
appearing on the 30th day of August  
1979.

THE JEFFERSONIAN,  
L. Frank Shuster  
Manager.

Cost of Advertisement, \$ \_\_\_\_\_

BALTIMORE COUNTY, MARYLAND  
OFFICE OF FINANCE - REVENUE DIVISION  
MISCELLANEOUS CASH RECEIPT

No. 83224

DATE October 8, 1979 ACCOUNT 01-662  
AMOUNT \$46.23

RECEIVED FROM: FDI Sylvan Pools, Inc.  
FOR: Advertising and Posting of Case No. 80-82-A

3116261 9 4623

VALIDATION OR SIGNATURE OF CASHIER

80-82-A

**CERTIFICATE OF POSTING**  
ZONING DEPARTMENT OF BALTIMORE COUNTY  
Towson, Maryland

District: 8th Date of Posting: SEPT. 1, 1979

Posted for: PETITION FOR VARIANCE.

Petitioner: PAUL B. SCHER, ET AL

Location of property: SE/C RIDGE VALLEY DR. & FALLING BROOK COURT.

Location of Signs: FRONT # 119.5 RIDGE VALLEY DRIVE

Remarks: \_\_\_\_\_

Posted by: J. Thomas G. Noland Date of return: SEPT. 7, 1979  
Signature

1-SIGN

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING  
County Office Building  
111 W. Chesapeake Avenue  
Towson, Maryland 21204

Your Petition has been received this 5 day of July, 1979.\*  
Filing Fee \$ 25.00 Received: ☒ Check  
☐ Cash  
☐ Other

William E. Hammond, Zoning Commissioner  
Petitioner Paul Scher + Julie Scher Submitted by Karl Scher 772 7772  
Petitioner's Attorney \_\_\_\_\_ Reviewed by CD

\*This is not to be interpreted as acceptance of the Petition for assignment of a  
hearing date.

PETITION MAPPING PROGRESS SHEET										
FUNCTION	Wall Map		Original		Duplicate		Tracing		200 Sheet	
	date	by	date	by	date	by	date	by	date	by
Descriptions checked and outline plotted on map										
Petition number added to outline										
Denied										
Granted by ZC, BA, CC, CA										
Reviewed by: <u>CD</u>					Revised Plans: Change in outline or description <u>    </u> Yes <u>    </u> No					
Previous case: <u>None</u>					Map # <u>                    </u>					

BALTIMORE COUNTY, MARYLAND:  
OFFICE OF FINANCE - REVENUE DIVISION  
MISCELLANEOUS CASH RECEIPT

No. 83126

DATE August 21, 1979 ACCOUNT 01-662  
AMOUNT \$25.00

RECEIVED FROM: FDI Sylvan Pools, Inc.  
FOR: Filing Fee for Case No. 80-82-A

3581261 23 25.00

VALIDATION OR SIGNATURE OF CASHIER